

As part of their responsibilities to protect public health and safety, cities and counties are authorized and required by the State to make adequate provisions for solid waste handling within their respective jurisdictions. They may do so through ordinances, permits, franchises, and other means.

This includes granting land use permits for solid waste facilities, such as landfills, transfer stations, and materials recovery facilities. In granting these permits, the city or county has the authority to impose conditions of approval on a project in response to community concerns or to mitigate project impacts. The conditions may include waste-shed restrictions that limit the origin of waste accepted at the facility to a defined area.

This authority we have to establish such waste-shed restrictions for solid waste facilities is being threatened by a current legislative proposal, AB 1178 (Ma). This bill would prohibit a city or county from restricting or limiting the importation of solid waste into a privately owned solid waste facility in that city or county based on the place of origin, including by an ordinance enacted by initiative by the voters of a city or county.

- M O R E -

MOTION

MOLINA _____

RIDLEY-THOMAS _____

YAROSLAVSKY _____

KNABE _____

ANTONOVICH _____

AB 1178 usurps local land use authority and eliminates the existing flexibility in the County's land use permitting process to impose conditions addressing the controlled flow of solid waste. It also sets a bad precedent whereby the State legislature overrules the will of the people, as expressed through a local referendum.

This Board has consistently opposed legislation that either infringes on local land use decision-making authority or removes flexibility local governments have in meeting the mandates of the California Integrated Waste Management Act. AB 1178 would do both.

WE, THEREFORE, MOVE that the Board of Supervisors oppose AB 1178 and send a five-signature letter expressing our opposition to the bill to Assembly members Fiona Ma and Gilbert Cedillo, the Los Angeles County Legislative Delegation, Senate President Pro Tem Darrell Steinberg, any appropriate Assembly and Senate Committees, and the Governor.

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